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In re Application of
Eskridge
Application No. 10/065,001
Filed: September 9, 2002
Attorney Docket No. 202704232002

Paper No. 9
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OFFICE OF PETITIONS

Decision on Petition

This a corrected decision on the petition under 37 CFR 1.137(b), filed June 4, 2004, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed October 16, 2003, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on November 17, 2003. A Notice of Abandonment was mailed on April 20, 2004.

The instant petition requests revival of the application.

The original petition cannot be located in the file of application no. 10/065,001. Therefore, this decision is based on the copy of the petition supplied on May 10, 2005.

On May 25, 2005, the Office attempted to charge the \$665 petition fee to petitioner's deposit account. However, the monetary balance in the account was \$4.

A decision dismissing the petition was mailed June 3, 2005.

After the decision was mailed, the Office successfully charged the \$665 fee to petitioner's deposit account.

Petitioner has now met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

The examiner will be notified the application has been revived so that he may consider the amendment filed May 10, 2005, in due course.

Telephone inquiries may be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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Office of Petitions